



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECHNOLOGY CENTER R3700

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#8  
WH 1/8/03

In re Application: John R. Liddicoat et al.  
Serial No.: 09/760,222  
Filing Date: 01/12/2001  
For: TISSUE ANNULOPLASTY BAND AND APPARATUS  
AND METHOD FOR FASHIONING, SIZING AND  
IMPLANTING THE SAME  
Group Art Unit: 3738  
Examiner: Crystal M. Gilpin  
Attorney's Docket No.: VIA-14

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
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Scott R. Foster

(NAME OF ATTORNEY)

Scott R. Foster  
(SIGNATURE)

December 27, 2002

(DATE OF SIGNATURE)

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

RESPONSE

This is in response to the outstanding Office Action in the  
above-identified application.

Claims 1-28 stand subject to a restriction requirement under  
35 U.S.C. §121 as follows:

Group I - claims 1-17 and 28, drawn to an annuloplasty  
band, classified in class 623, subclass 2.36;

Group II - claims 18-24, drawn to a method for  
performing an annuloplasty on a heart valve, classified in class  
623, subclass 2.11;

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Group III - claim 25, drawn to a sizer for sizing a tissue annuloplasty band, classified in class 623, subclass 66.1; and

Group IV - claims 26 and 27, drawn to a graft tissue cutting assembly, classified in class 83, subclass 167.

In response, Applicants hereby elect, without prejudice, to prosecute the invention of Group I, claims 1-17 and 28.

Applicant expressly reserves the right to prosecute all non-elected subject matter in related applications.

Respectfully submitted,



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